



**IN THE GRAND COURT OF THE CAYMAN ISLANDS  
FINANCIAL SERVICES DIVISION**

**CAUSE NO. 29 of 2019 (IKJ)**

**IN THE MATTER OF THE COMPANIES ACT (2020 REVISION)**

**AND IN THE MATTER OF HAITIAN ENERGY INTERNATIONAL LIMITED (IN PROVISIONAL  
LIQUIDATION)**

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**ORDER**

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**UPON** the adjourned hearing of the Winding Up Petition dated 22 February 2019

**AND UPON** reading the Third Affirmation of Ho Kwok Leung Glen and the exhibit thereto

**AND UPON** hearing Counsel for the joint provisional liquidators (the **JPLs**) of Haitian Energy International Limited (in provisional liquidation)

**IT IS HEREBY ORDERED THAT:**

- 1 The Company be wound up in accordance with the Companies Act (2020 Revision).
- 2 The JPLs be appointed as joint official liquidators of the Company (**the JOLs**).
- 3 The JOLs are not required to give security for their appointment.
- 4 The JOLs have the power to act jointly or severally in their capacity as liquidators of the Company.
- 5 The JOLs are authorised to exercise all of the powers set out in section 110(2)(b) of the Companies Act and Part II of the Third Schedule thereof, without further sanction of the Court.
- 6 The JOLs are authorised to exercise all of the powers set out in section 110(2)(a) of the Companies Act and Part I of the Third Schedule thereof, provided sanction of the Court is obtained, save that the following powers may be exercised without further sanction of the Court:

- i) The JOLs are at liberty to appoint such counsel, attorneys, professional advisors, whether in the Cayman Islands or elsewhere, as they may consider necessary to advise and assist them in the performance of their duties and on such terms as they may think fit and to remunerate them for the same.
  - ii) The JOLs shall have the power to engage staff (whether or not as employees of the Company) to assist them in the performance of their functions.
  - iii) The JOLs are authorised to take any such action as may be necessary or desirable to obtain recognition of the JOLs and/or their appointment in any other relevant jurisdiction and to make applications to the courts of such jurisdictions for that purpose.
- 7 No suit, action or other proceeding shall be proceeded with or commenced against the Company except with the leave of the Court and subject to such terms as the Court may impose.
- 8 No disposition of the property of the Company by or with the authority of the JOLs in carrying out their duties and functions and exercise of their powers under this Order shall be voided by virtue of section 99 of the Companies Act.
- 9 The remuneration and expenses of the JOLs shall be paid out of the assets of the Company in accordance with Part III of the Insolvency Practitioners' Regulations 2018, section 109(1) of the Companies Act and Order 20 of the Companies Winding Up Rules 2018.
- 10 The JOLs are at liberty to meet all disbursements reasonably incurred in connection with the performance of their duties and, for the avoidance of doubt, all such payments shall be made as and when they fall due out of the assets of the Company as an expense of the liquidation.
- 11 The JOLs are at liberty to apply generally to the Court to make such orders for regulating the future conduct of the affairs of the Company as the Court shall see fit.
- 12 The costs of and incidental to the provisional liquidation be paid out of the assets of the Company as an expense of the provisional liquidation pursuant Order 20, rule 1(1)(e) of the Companies Winding Up Rules 2018.



13 The JPLs fees of the provisional liquidation be paid out of the assets of the Company as an expense of the provisional liquidation pursuant Order 20, rule 1(1)(d) of the Companies Winding Up Rules 2018.

14 Such further or other orders as this Honourable Court sees fit.

**DATED** 11 January 2021

**FILED** January 2021

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**The Honourable Justice Kawaley**  
**Justice of the Grand Court**

**THIS ORDER** was filed by Harney Westwood & Riegels, Attorneys-at-Law for the JOLs of the Fund, whose address for service is 3<sup>rd</sup> Floor, Harbour Place, 103 South Church Street, PO Box 10240, Grand Cayman KY1-1002, Cayman Islands (**Ref: 052019.0001/PPS/MYB**).